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5 IN THE UNITED STATES DISTRICT COURT

6 FOR THE NORTHERN DISTRICT OF CALIFORNIA

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8 LG ELECTRONICS, INC.,

No. C 01-01375 CW  
C 01-01594 CW  
C 01-02187 CW  
C 01-01552 CW

9 Plaintiff and  
10 Counterclaim Defendant,

11 v.

12 BIZCOM ELECTRONICS, INC., COMPAL  
13 ELECTRONICS, INC., and SCEPTRE  
TECHNOLOGIES, INC.,

14 **THIS DOCUMENT  
RELATES TO ALL  
CASES**

15 EVEREX SYSTEMS, INC.,

16 ORDER SETTING  
CASE MANAGEMENT  
CONFERENCE AND  
DENYING SUMMARY  
ADJUDICATION OF  
NON-INFRINGEMENT  
OF THE '645  
PATENT AND  
DESIGNATING CASES  
FOR ELECTRONIC  
COURT FILING

17 FIRST INTERNATIONAL COMPUTER, INC.  
and FIRST INTERNATIONAL COMPUTER OF  
18 AMERICA, INC.,

19 Q-LITY COMPUTER, INC., QUANTA  
COMPUTER, INC., and QUANTA COMPUTER  
20 USA, INC.,

21 Defendants and  
22 Counterclaimants.

23 On July 7, 2006, the Federal Circuit entered its judgment  
24 affirming in part, reversing in part and vacating in part this  
25 Court's claim construction and summary judgment orders. The  
26 mandate was issued on September 8, 2006.

27 As the appellate court noted, because the Court granted  
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## United States District Court

For the Northern District of California

1 Defendants' motion for summary adjudication of non-infringement of  
2 the '645 patent on the basis of the accused devices' failure to use  
3 the claimed strobe signals, it did not reach Defendants'  
4 alternative argument that they did not infringe as a matter of law  
5 because the chipsets in the accused products did not include an  
6 "end of access" signal as required by the asserted claims. Having  
7 considered the papers filed by the parties on this issue, the Court  
8 denies Defendants' motion for summary adjudication of non-  
9 infringement of the '645 patent on this ground. LGE expert William  
10 K. Hoffman opines that the accused products' PCI bus with a FRAME#  
11 signal satisfies the "end of access control signal" limitation in  
12 claim 1 and the "end of access system bus control signal"  
13 limitation in claim 12. Hoffman Decl. ¶ 48. Whether Mr. Hoffman's  
14 opinion is persuasive despite his failure personally to analyze the  
15 internal operations of the accused chipsets is a disputed question  
16 of material fact that the Court cannot resolve as a matter of law.

17 The Court hereby sets a case management conference for  
18 November 3, 2006 at 1:30 p.m. The parties shall submit a revised  
19 joint case management statement within thirty days of the date of  
20 this order. The case management statement should address the  
21 issues remaining for trial as well as the expected length of the  
22 trial. The parties should also prepare a claim construction chart  
23 setting forth the relevant terms at issue, including the Court's  
24 constructions that are still operative and the Federal Circuit's  
25 revised constructions. The Court further orders the parties to  
26 arrange for a private mediation session with the Honorable Edward  
27 A. Infante of JAMS, or another mutually agreed-upon mediator,

1 before the case management conference.

2 These cases are hereby designated for the Court's Electronic  
3 Case Filing (ECF) Program. Pursuant to General Order 45, each  
4 attorney of record is obligated to become an ECF user and be  
5 assigned a user ID and password for access to the system. All  
6 documents required to be filed with the Clerk shall be filed  
7 electronically on the ECF website, except as provided otherwise in  
8 section VII of General Order 45 or authorized otherwise by the  
9 court.

10 IT IS SO ORDERED.  
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12 Dated: 9/28/06



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13 CLAUDIA WILKEN  
14 United States District Judge